

DEPARTMENT OF HEALTH SERVICES

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September 1, 1994

TO: All County Welfare Directors
All County Administrative Officers
All County Medi-Cal Program Specialists/Liaisons

Letter No.: 94-72

DOCUMENTATION REQUIREMENTS FOR CUBAN/HAITIAN ENTRANTS ELIGIBLE FOR REFUGEE MEDICAL ASSISTANCE (RMA)

Ref.: All County Letter (ACL) Nos. 90-95 and 94-15

The purpose of this letter is to provide clarification regarding documentation requirements for the refugee resettlement program which provides RMA to Cuban/Haitian Entrants under Title 45, Code of Federal Regulations (CFR), Part 401.

ACL No. 94-15 stated that certain Cuban or Haitian nationals are not eligible for RMA under 45 CFR Part 400, the Office of Refugee Resettlement (ORR) regulation requirements for RMA eligibility. However, they are eligible under Part 401, and California has an approved State Plan for serving Cuban and Haitian Entrants who meet the documentation requirements of Part 401. These Entrants are eligible for RMA if they meet the eligibility requirements of the RMA program as stated in ACL No. 90-95 and the definition of Entrant in Department of Social Services' Manual of Policy and Procedures Sections 69-301 to 69-305.

Documentation Requirements for Cuban/Haitian Entrant Program:

1. Cuban or Haitian Nationals with Immigration and Naturalization Service (INS) Form I-94 with inscription "Cuban/Haitian Entrant (Status Pending)".
2. Cuban or Haitian Nationals who are the subject of exclusion or deportation proceedings unless a final order of deportation or exclusion has been issued. These Entrants will have an I-94 and notices or letters indicating ongoing deportation proceedings.
3. Cuban or Haitian Nationals who have an application for asylum pending with INS unless a final order of deportation or exclusion has been issued. These Entrants will have an I-94 with notation "Form I-589 filed".
4. Cuban or Haitian Nationals granted parole for humanitarian reasons or in the public interest unless a final order of deportation or exclusion has been issued. These Entrants will have an I-94 with the word "Parole" or a reference to "Section 212(d)(5)".

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Page 2

Time eligibility for RMA benefits for Cuban/Haitian Entrants begins with their date of parole (release from INS custody).

If you have any questions, please contact Elena Lara of my staff at (916) 657-0712.

Sincerely,

ORIGINAL SIGNED BY

FRANK S. MARTUCCI, Chief
Medi-Cal Eligibility Branch

Enclosures